

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 05-14908
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT DEC 6, 2006 THOMAS K. KAHN CLERK
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D.C. Docket No. 03-61480-CV-TK

WASTE CORPORATION OF AMERICA, INC.,
a foreign corporation,

Plaintiff-Appellant,

versus

GENESIS INSURANCE COMPANY,
a foreign corporation,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Florida

(December 6, 2006)

Before CARNES, PRYOR and COX, Circuit Judges.

PER CURIAM:

Waste Corporation of America, Inc. (“WCA”) appeals the summary judgment granted Genesis Insurance Company (“Genesis”) on WCA’s claim for breach of the directors and officers liability insurance policy issued by Genesis to WCA. We affirm.

We find no reversible error in the district court’s holding that the policy does not provide coverage for any monies WCA paid as a result of WCA’s breach of contract. Because the entire \$2 million settlement paid by WCA represents such a payment, WCA may not recoup any of that payment from Genesis.

AFFIRMED.